



Attorney Docket No. DLLU-1001
Express Mail No.: ET788902355US

#4/85
8.27B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant

EMERY W. DILLING

Filed: 12/22/2001

Serial No.: 10/028,336

For: PROSTHETIC AORTIC VALVE

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Art Unit: 3738

Examiner: Thomas C. Barrett

ELECTION OF SPECIES

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

In response to an Office Action on the above application mailed 08/01/2003, Applicant elects Species I: Figure 1 without traverse. Applicant believes that Claims 1-8, 33 and 34 read on the invention illustrated in Figure 1. Additionally, method claims 17, 19, 21 and 23 relate to replacement of an aortic valve in a patient with the aortic valve of claim 1. Further, claims 27 and 29 relate to a patient having the aortic valve of claim 1.

This letter is intended as a complete response to the above Office Action.

Respectfully submitted,

Dennis W. Gilstad, Reg. No. 36,810
Customer No. 30150
ATTORNEY OF RECORD

16 August 2003



08-18-03

3738

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/028,336	
	Filing Date	12/22/2001	
	First Named Inventor	Emery W. Dilling	
	Art Unit	3738	
	Examiner Name	Thomas C. Barrett	
Total Number of Pages in This Submission	2	Attorney Docket Number	DLU-1001

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Attached letter is for Election of Species.		RECEIVED AUG 20 2003 TC 3700 MAIL ROOM
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Dennis W. Gilstad	
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Date	16 August 2003	

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____			
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Signature		Date	16 August 2003

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